

REMARKS

The Examiner required restriction among the claims under 35 U.S.C. § 121 alleging that the pending claims reflect two groups of inventions. The Examiner asserted that the claims fell into the following groups:

- Group I. Claims 1-11, drawn to a skin treatment for a patient subject to signs of cutaneous aging, classified in class 514, subclass 557; or

- Group II. Claims 12-48, drawn to a cosmetic composition in the form of a self-curing mask, classified in Class 514, subclass 557 and a preparation process for a cosmetic composition in the form of a self-curing mask, classified in class 514, subclass 557.

The Examiner also required an election to be made between species 1-9. Applicant provisionally elects, with traverse, the subject matter in Group II, claims 12-48, drawn to cosmetic compositions in the form of self-curing masks, and preparation thereof and the species of claims 19 and 20 (hydrophilic polymer).

Applicants respectfully disagree with the requirement/election, and submit that the Examiner has not met the burden of establishing two or more independent and distinct inventions claimed in one application under 35 U.S.C. § 121. For example, the Examiner has not met the burden of showing that the cosmetic compositions and methods of using them are independent and distinct. Moreover, the Examiner would almost certainly cite the same reference in one group against the other group. Applicants submit that separate searches for each of the alleged groups would be substantially duplicative, and the Examiner has not demonstrated that a search directed to one group is unreasonable or would present an undue burden on the patent office. Accordingly, Applicants respectfully request the restriction/election requirement to be withdrawn.

Applicants note for the record that the claims may be rejoined if Group II claims are subsequently found to be allowable provided all the claims include the allowable features of the claims/elections of Group II.

No fee is believed to be due with respect to the filing of this amendment. If any additional fees are due, or an overpayment has been made, please charge, or credit, our Deposit Account No. 11-0171 for such sum.

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If the Examiner has any questions regarding the present application, the Examiner is cordially invited to contact Applicants' attorney at the telephone number provided below.

Respectfully submitted,



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